

Serial No. 09/780,903
Art Unit: 3634

DISCUSSION

The drawings have been amended to revise the numbering of the web in figures 5, 6 and 7. Applicants respectfully request approval for revising the drawings in accordance with the changes shown.

Applicants herewith submit copies of pages 11 and 12 of the application with proposed changes shown in red. The proposed changes conform the specification with the amendments entered in the drawings. Applicants submit that no new matter has been entered by way of amendments to the drawings or the specification.

Before discussing the rejections over the prior art, Applicants deem it prudent to set forth what they consider to be their invention.

The present invention is a liner structure. The liner structure comprises a flexible sheet having a top surface and a bottom surface. The flexible sheet is comprised of a first polymeric resin which is sufficiently soft to render the flexible sheet non-curling and the bottom surface non-skid. The flexible sheet has a plurality of upwardly extending ridges on the top surface. The ridges do not cover the entire top surface. The upwardly extending ridges are comprised of a second polymeric resin which is harder than the first polymeric resin and which provides a low friction surface on the top edges of said upwardly extending ridges. The liner of the invention is sufficiently soft so that ^{relative} the flexible sheet is non-curling and the bottom surface surface not skid.

The upwardly extended ridges on the top surface of the flexible sheet comprise a second polymeric resin which is harder than the first polymeric resin to provide a low friction surface to permit easy removal of articles which have been placed on the liner.

Claims 1-12 stand rejected under 35 USC 103(a) as unpatentable over Warp (US 4,947,999). In view of Miles et al. (US 6,237,980) and Callas (US 6,093,469). Applicants respectfully submit that Warp, Miles et al. and Callas whether considered alone or in combination neither teach nor suggest the present invention.

Warp is directed to a liner structure which comprises a substantially flat web

Serial No. 09/780,903
Art Unit: 3634

having an integral raised pattern on the upper surface. The web and the upward extending pattern are formed from the same plastic. The liner structure of Warp is semi-rigid with sufficient flexibility for manipulation during installation (col. 2, lines 66-68). With the semi-rigid construction of the liner of Warp, securing means such as double-face tape can be used and the liner section can be easily removed from the tape or adhesive without tearing (col. 4, lines 24-28).

require sufficiently soft
The description of the web structure of Warp indicates that the structure is not formed from a soft flexible material with a high coefficient of friction and which lays flat on a surface without adhesives and the like to prevent curling and movement of the liner on the surface.

The liner of Warp is formed from a polymer which is harder than the soft web material utilized in the practice of the present invention since the effect of sliding articles on the upper surface of the liner is done with ease and with substantially no friction (col. 3, line 62 to col. 4, line 2). The liner of Warp appears to be made of a polymer similar to the hard second polymer used in the structure of the present invention since a low coefficient of friction surface is provided.

Not relied on for this
Applicants respectfully submit that Warp would neither teach nor suggest the soft flexible web of the present invention with its high coefficient of friction lower surface.

Applicants submit that there would be no incentive for making the edges of the protrusion from the top surface of the web liner from a harder plastic since the specification at col. 3 and col. 4 teaches that the top surface is essentially friction-free. The teaching of Warp are deficient in neither teaching nor suggestion a web formed from a soft flexible material to form a web which is flexible and lays flat without curling and providing upward extending protrusions which comprise a polymer or a plastic which is harder than the material utilized to form the web.

The deficiencies in Warp are not cured by combination with Miles et al. Miles et al. discloses a cargo bed liner with a rigid body having a wear inhibiting surface

Serial No. 09/780,903

Art Unit: 3634

covering at least selected portions of the outer surface. The wear inhibiting surface has a relatively high coefficient of friction and is relatively soft in comparison to the relatively rigid body. The wear inhibiting outer surface which contacts the substrate on which the liner is arranged comprises a tough material which is sufficiently soft to provide a high coefficient of friction and to prevent damage to the painted surfaces of vehicles in which the rigid liner is installed. The liner can have ridges of the rigid plastic to support the load of the liner and provide channels for collecting water and debris. However, combination of the teachings of Miles et al. with Warp would provide a rigid structure having a rubber like lower surface which contacted the underlying substrate. The Miles et al. high coefficient of friction wear inhibiting surface is formed from a rubber-like material the rubber-like material utilized in the Miles et al. liner would comprise a material similar to a tire tread and not a flexible rubber-like material such as used in throw-away sterile gloves, balloons or the like. The wear resisting surface contacts an underlying rigid substrate under a load which requires that the wear inhibiting surface cannot be soft or flexible enough to be torn by relative movement between the liner and the underlying substrate.

Applicants respectfully submit that applying the teachings of Miles et al. to the Warp structure would provide a rigid or semi-rigid structure having a tough wear resistant lower surface. The structure would be a two layer structure comprising a rigid or semi-rigid web having a coating of a wear inhibiting high coefficient of friction material on its underside. The combination would not provide a flexible non-curling sheet. The bottom surface may be non-skid, but the top surface of the flexible sheet would not comprise upwardly extending ridges comprised of a second polymeric resin which is harder than the first polymeric resin and provide a low friction surface on the top edges of the upper extending ridges. The combinations of Warp with Miles et al. would provide a two layer structure where the ridges and valley on the top surface would be formed from the same rigid material which would make the liner not flexible.

Serial No. 09/780,903

Art Unit: 3634

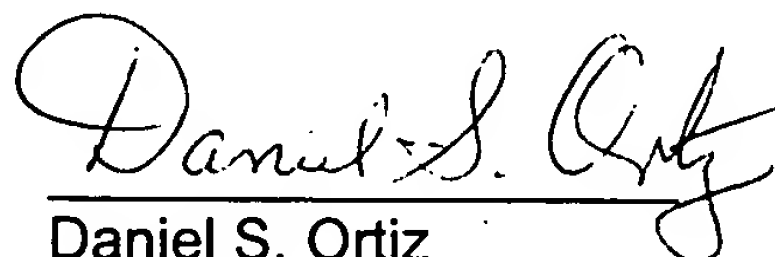
Applicants respectfully submit that the combination of Warp with Miles et al. would neither teach nor suggest the present invention.

The deficiencies in the combination of Warp with Miles et al. is not cured by combination with Callas. Callas discloses a heavy mat-like structure formed from a polypropylene griegge fiber pad and a backing of a non-skid plastic material. The non-skid plastic material has longitudinal treads having high friction and tacky properties to prevent creep and folding of the pad. Applicants respectfully submit that the combination of Callas with Warp and Miles et al. would provide an at least two layer structure having a high friction lower surface and a dense upper surface having fibers of a polymeric material extending therefrom. The structure would resemble a rug and would not be useful as a liner.

Applicants respectfully submit that there is neither teaching nor suggestion in the combination of Warp with Miles et al. and Callas with would lead one skilled in the art to provide a structure comprising the soft flexible, non-curling web having a non-skid bottom surface and an upper surface having a plurality of upwardly extending ridges comprised of a second polymeric resin which is harder than the first polymeric resin and does not completely cover the upper surface. Applicants submit that the combination of the prior art would neither teach nor suggest the structure of the present invention.

In view of the amendment proposed for entry in the application and the above discussion, Applicants respectfully submit that the application is in condition for allowance and favorable consideration is requested.

Respectfully submitted,



Daniel S. Ortiz
(Reg. No. 25,123)
Attorney for Applicants
(610) 278-4934

Serial No. 09/780,903

Art Unit: 3634

Henkel Corporation

Law Department

2500 Renaissance Boulevard, Suite 200

Gulph Mills, PA 19406